

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PENN, SCHOEN & BERLAND ASSOCIATES,
LLC,

Plaintiff,

-against-

MICHAEL J. BERLAND, MITCHELL E. MARKEL,
JULIE BISSELL, JENNIFER NEGRIN and
GLOBAL INSIGHTS & STRATEGIES, LLC,

Defendants.

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07 Civ. 5646 (DC)

**TEMPORARY RESTRAINING
ORDER AND ORDER FOR
EXPEDITED DISCOVERY**

WHEREAS, on June 14, 2007, Plaintiff Penn, Schoen & Berland Associates, LLC ("PSB") moved this Court for a temporary restraining order and expedited discovery;

WHEREAS, the Court has considered the papers in support of the motion and heard counsel for PSB, Michael J. Berland ("Berland") and Mitchell E. Markel ("Markel") on June 14, 2007; and

WHEREAS, PSB, Berland and Markel consent to the entry of this Temporary Restraining Order and Order for Expedited Discovery.

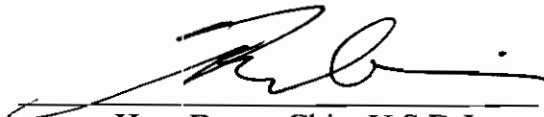
NOW, THEREFORE, IT IS ORDERED that pending this Court's hearing on PSB's application for a preliminary injunction providing more permanent relief, Berland and Markel are hereby temporarily restrained and enjoined as follows:

- (1) Berland is temporarily restrained and enjoined from engaging in business or owning an interest in a business that conducts market research and polling;
- (2) Berland is temporarily restrained and enjoined from soliciting, servicing or accepting business of the type and character engaged in and competitive with that conducted by PSB from any client of PSB, including but not limited to NHL, Estee Lauder, Qwest, RIM and Electronic Arts and/or from tortiously interfering with PSB's client contracts;
- (3) Berland is temporarily restrained and enjoined from soliciting or hiring any individual currently employed by PSB;
- (4) Markel is temporarily restrained and enjoined from servicing or soliciting any client of PSB and/or from tortiously interfering with PSB's client contracts; and
- (5) Insights & Strategies is temporarily restrained and enjoined from unfairly competing with PSB by servicing or soliciting any client of PSB and from servicing or soliciting any client of PSB.

 *No bond is required.*

IT IS FURTHER ORDERED that PSB's application to conduct expedited discovery is hereby granted.

This Order issued this 20th day of June 2007, at 9:00 a.m.


Hon. Denny Chin, U.S.D.J.